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101ST CONGRESS
2d Session

SENATE

REPORT
101-346

PROVIDING FOR THE APPOINTMENT OF IRA MICHAEL HEYMAN OF CALIFORNIA AS A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

JUNE 27 (legislative day, JUNE 11), 1990.—Ordered to be printed

Mr. FORD, from the Committee on Rules and Administration, submitted the following

REPORT

[To accompany S.J. Res. 318]

The Committee on Rules and Administration, having considered Senate Joint Resolution 318, a joint resolution to provide for the appointment of Ira Michael Heyman of California as a citizen regent of the Board of Regents of the Smithsonian Institution, reports favorably thereon without amendment and recommends that the joint resolution be agreed to.

BACKGROUND AND PURPOSE

As set forth in 20 U.S.C. 42 and 43, the Board of Regents, the governing body of the Smithsonian Institution, is composed of seventeen members and consists of the Vice President, the Chief Justice of the United States, three Members of the Senate, three Members of the House of Representatives, and nine other persons appointed by Joint Resolution of the Congress. Of the nine persons who are not Members of Congress, two must be resident in the city of Washington, DC, and seven must be inhabitants of some State, but no two of them of the same State.

The purpose of this joint resolution is to fill the vacancy on the Board of Regents of the Smithsonian Institution occurring by reason of the expiration of the term of A. Leon Higginbotham, Jr. of Pennsylvania on October 18, 1990, by appointing Ira Michael Heyman of California for a term of six years, effective on the date following the expiration of the current term.

At its meeting on May 7, 1990, the Board of Regents of the Smithsonian Institution voted to request its Congressional Members to introduce and support legislation to provide for the appointment of Mr. Heyman for the statutory term of six years. Robert

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McC. Adams, the Secretary of the Smithsonian Institution, has expressed his support for this appointment by letter to the Chairman of the Committee on Rules and Administration. His letter and its enclosure, a biography of Mr. Heyman, follow. Letters of support for this nomination from Mr. Moynihan and Mr. Garn, Senate Members of the Board of Regents, are also set forth below.

SMITHSONIAN INSTITUTION,
Washington, DC, May 24, 1990.

Hon. WENDELL H. FORD,
Chairman, Committee on Rules and Administration,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: I would like to take this opportunity to comment on S.J. Res. 318 providing for the appointment of Ira Michael Heyman as a citizen regent of the Board of Regents.

Regents and the manner of appointment and terms of office of those other than Members of Congress are set forth in 20 U.S.C. 42 and 43. At its meeting on May 7, 1990, the Board of Regents voted to request its Congressional members to introduce and support legislation to provide for the appointment of Mr. Heyman to fill the vacancy resulting from the expiration of the term of A. Leon Higginbotham, Jr. on October 18, 1990.

Mr. Heyman is a resident of the State of California. He has served with distinction as Chancellor of the University of California at Berkeley, following an eminent legal career devoted largely to the advancement of human rights. His biography is enclosed.

Enactment of S.J. Res. 318 would have no regulatory impact and would entail no cost to the Government. I will be happy to furnish any additional information you may require.

Sincerely,

ROBERT MCC. ADAMS,
Secretary.

Enclosure.

Heyman, Ira Michael, university chancellor; b. N.Y.C., May 30, 1930; s. Harold Albert and Judith (Sobel) H.; m. Therese Helene Thau, Dec. 17, 1950; children—Stephen Thomas, James Nathaniel. AB in Govt., Dartmouth Coll., 1951; JD, Yale U., 1956; LLD (hon.), U. Pacific, 1981; LHD (hon.), Hebrew Union Coll., 1984; LLD, U. Md., 1986. Bar: N.Y. 1956, Calif. 1961. Legis. asst. to U.S. Senator Ives, 1950–51; assoc. Carter, Ledyard & Milburn, N.Y.C., 1956–57; law clk. to presiding justice U.S. Ct. Appeals (2d cir.), New Haven, 1957–58; chief law clk. to Supreme Ct. Justice Earl Warren, 1958–59; acting assoc. prof. law U. Calif. at Berkeley, 1959–61, prof. law, 1961—, prof. city and regional planning, 1966—, vice chancellor, 1974–80, chancellor, 1980—; vis. prof. Yale Law Sch., 1963–64, Stanford Law Sch., 1971–72; bd. dirs. Pacific Gas & Electric Co., 1985—; counsel task force on demonstrations and protest Pres.'s Commn. on Violence, 1968–69; mem. Pub. Land Law Rev. Commn., 1968–70, Commn. on Isla Vista, U. Calif.-Santa Barbara, 1970; cons. various orgns. Editor Yale Law Jour.; contbr. articles to profl. jours. Sec. Calif. adv. com. U.S. Commn. Civil Rights, 1962–67; trustee Dartmouth Coll., 1982—, Lawyers' Commn. for Civil Rights Under Law, 1977—; chmn. exec. com. Nat. Assn. State Univs. and Land Grant Colls., 1986; chmn. Div. I subcom. Nat. Collegiate Athletic Assn.

Pres.'s Commn., 1986—; chmn. Human Rights and Welfare Commn. City of Berkeley, 1966-68; chmn. acad. senate policy com. U. Calif., Berkeley, 1965-67, state-wide acad. assembly, 1964-66, 72-73; pres. Pres. and Chancellor group Pacific 10 Conf., 1984-85; mem. research adv. com. Oakland Inter-Agy. Project, 1964-65; bd. dirs. Am. Council on Edn., 1984-85. Served to 1st lt. USMC, 1951-53, to capt. USMCR, 1953-58. Named Chevalier de la Legion D'Honneur Govt. France, 1985. Mem. Am. Law Inst. (asst. reporter). Democrat. Office: U. Calif. Univ. House Office of the Chancellor, Berkeley, CA 94720.

UNITED STATES SENATE,
Washington, DC, June 11, 1990.

DEAR CHAIRMAN FORD: I am writing to lend my support to S.J. Res. 318 for the appointment of Chancellor Ira Michael Heyman of the University of California at Berkeley as a citizen regent of the Smithsonian Institution's Board of Regents.

After a five month search by the Board of Regents nominating committee, and discussion among Board of Regents members, Chancellor Heyman was nominated. All agreed that Chancellor Heyman would bring a great deal of administrative and development experience to the Smithsonian, having already demonstrated superb leadership and fundraising skills at a large institution. Chancellor Heyman's personal interest in museums and his demonstrated ability to fundraise will greatly assist the Smithsonian with its present efforts to plan a major capital campaign to increase the institution's endowment.

Chancellor Heyman is a distinguished legal scholar who was chief law clerk to Chief Justice Earl Warren and a Professor at U.C. Berkeley and Stanford law schools. He also has extensive experience serving as chairman of numerous committees and commissions, and is a member of the Board of Trustees of a distinguished university.

I encourage my colleagues to support Chancellor Heyman's nomination to the Board of Regents.

Sincerely,

DANIEL PATRICK MOYNIHAN.

UNITED STATES SENATE,
Washington, DC, June 11, 1990.

Hon. WENDELL FORD,
Chairman, Committee on Rules and Administration,
U.S. Senate, Washington, DC.

DEAR WENDELL: I request that the Senate Rules Committee consider S.J. Res. 318, a resolution to appoint Ira Michael Heyman of California as a citizen regent of the Board of Regents of the Smithsonian Institution, at its markup scheduled for June 13, 1990.

It is proposed that Mr. Heyman fill the vacancy on the Board of Regents due to the expiration of the term of A. Leon Higginbotham, Jr. on October 18, 1990. The appointment is for a term of 6 years and shall take effect on the day following the expiration of the current term.

Mr. Heyman is a well-respected member of the legal profession and has focused much of his career on civil rights issues. He attended Yale Law School and has since returned to his alma mater as a visiting professor. He is currently a resident of California where he has served with distinction as Chancellor of the University of California at Berkeley. His executive experience, as well as his outstanding development skills, will be invaluable to the Smithsonian as they look to new capital campaigns in the future.

Mr. Heyman would be an invaluable asset to the Board of Regents of the Smithsonian Institution and I urge the Committee to favorably report the bill facilitating his appointment.

Sincerely,

JAKE GARN.

PROVISIONS OF THE JOINT RESOLUTION

Senate Joint Resolution 318 provides that in accordance with section 5581 of the Revised Statutes of the United States (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of A. Leon Higginbotham, Jr., of Pennsylvania on October 18, 1990, be filled by the appointment of Ira Michael Heyman of California for a term of 6 years, effective on the date following the expiration of the current term.

COMMITTEE ACTION

On June 13, 1990, the Committee on Rules and Administration held a markup session on Senate Joint Resolution 318. After discussion, Senate Joint Resolution 318 was passed, unanimously, by a record vote and was ordered reported favorably by the Committee.

COMMITTEE ROLLCALL VOTE

In compliance with paragraph 7 (b) and (c) of rule XXVI of the Standing Rules of the Senate, the record of the rollcall vote in the Committee on Rules and Administration during its consideration of Senate Joint Resolution 318 to report it favorably was as follows:

YEAS—9 NAYS—0

Mr. Pell
Mr. DeConcini
Mr. Moynihan
Mr. Stevens
Mr. Hatfield
Mr. Dole
Mr. Garn
Mr. McConnell
Mr. Ford

The Chairman presented the proxies of Mr. Byrd, Mr. Inouye, Mr. Gore, and Mr. Dodd in favor of the measure.

COST ESTIMATE

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate, the Committee does not consider that passage

of Senate Joint Resolution 318 would entail any cost to the Federal Government.

REGULATORY IMPACT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee does not consider that passage of Senate Joint Resolution 318 would have any regulatory impact.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee on Rules and Administration notes that this joint resolution makes no change in existing law.

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